

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C., 20231, on:

Date: 6/25/01

By: Linda R. Judge

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

Singh, et al.

SERIAL No.: 09/824,905

FILED: April 2, 2001

FOR: **KITS EMPLOYING OLIGONUCLEOTIDE-
BINDING E-TAG PROBES**

EXAMINER: Unknown

ART UNIT: 1656

Declaration Under 37 CFR §1.821

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

I, Linda R. Judge, declare and affirm as follows:

1. I am an agent for the applicant.
2. The floppy disc which accompanies this Declaration contains the required sequence listing.
3. The sequence listing recorded on said disc matches the hard copy of the sequence listing accompanying this Declaration.
4. The present submission contains no new matter relative to the application as originally filed.

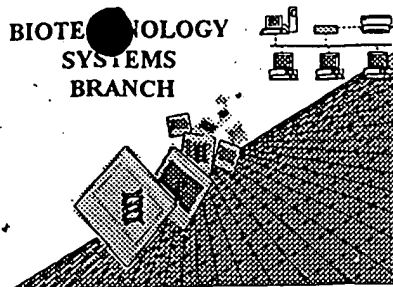
Respectfully submitted,

Linda R. Judge
Linda R. Judge
Registration No. 42,702

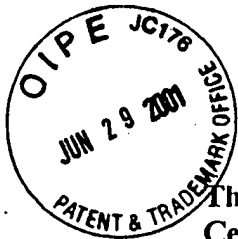
Date: June 25, 2001

Correspondence Address:

Customer No. 22918



RAW SEQUENCE LISTING ERROR REPORT



The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) detected errors when processing the following computer readable form:

Application Serial Number: 09/824,905

Source: OIPE

Date Processed by STIC: 4-27-01

THE ATTACHED PRINTOUT EXPLAINS DETECTED ERRORS.

PLEASE FORWARD THIS INFORMATION TO THE APPLICANT BY EITHER:

- 1) INCLUDING A COPY OF THIS PRINTOUT IN YOUR NEXT COMMUNICATION TO THE APPLICANT, WITH A NOTICE TO COMPLY or,
- 2) TELEPHONING APPLICANT AND FAXING A COPY OF THIS PRINTOUT, WITH A NOTICE TO COMPLY

FOR CRF SUBMISSION QUESTIONS, PLEASE CONTACT MARK SPENCER, 703-308-4212.

FOR SEQUENCE RULES INTERPRETATION, PLEASE CONTACT ROBERT WAX, 703-308-4216.

PATENTIN 2.1 e-mail help: patin21help@uspto.gov or phone 703-306-4119 (R. Wax)

PATENTIN 3.0 e-mail help: patin3help@uspto.gov or phone 703-306-4119 (R. Wax)

TO REDUCE ERRORED SEQUENCE LISTINGS, PLEASE USE THE CHECKER VERSION 3.0 PROGRAM, ACCESSIBLE THROUGH THE U.S. PATENT AND TRADEMARK OFFICE WEBSITE. SEE BELOW:

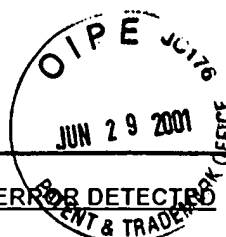
Checker Version 3.0

The Checker Version 3.0 application is a state-of-the-art Windows based software program employing a logical and intuitive user-interface to check whether a sequence listing is in compliance with format and content rules. Checker Version 3.0 works for sequence listings generated for the original version of 37 CFR §§1.821 - 1.825 effective October 1, 1990 (old rules) and the revised version (new rules) effective July 1, 1998 as well as World Intellectual Property Organization (WIPO) Standard ST.25.

Checker Version 3.0 replaces the previous DOS-based version of Checker, and is Y2K-compliant. Checker allows public users to check sequence listings in Computer Readable form (CRF) before submitting them to the United States Patent and Trademark Office (USPTO). Use of Checker prior to filing the sequence listing is expected to result in fewer errored sequence listings, thus saving time and money.

Checker Version 3.0 can be down loaded from the USPTO website at the following address:

<http://www.uspto.gov/web/offices/pac/checker>



Sequence Listing Error Summary

ERROR DETECTED SUGGESTED CORRECTION

SERIAL NUMBER: 09/824,905

ATTN: NEW RULES CASES: PLEASE DISREGARD ENGLISH "ALPHA" HEADERS, WHICH WERE INSERTED BY PTO SOFTWARE

- 1 ☐ Wrapped Nucleics The number/text at the end of each line "wrapped" down to the next line.
This may occur if your file was retrieved in a word processor after creating it.
Please adjust your right margin to .3, as this will prevent "wrapping".
- 2 ☐ Wrapped Aminos The amino acid number/text at the end of each line "wrapped" down to the next line.
This may occur if your file was retrieved in a word processor after creating it.
Please adjust your right margin to .3, as this will prevent "wrapping".
- 3 ☐ Incorrect Line Length The rules require that a line not exceed 72 characters in length. This includes spaces.
- 4 ☐ Misaligned Amino Acid Numbering The numbering under each 5th amino acid is misaligned. This may be caused by the use of tabs between the numbering. It is recommended to delete any tabs and use spacing between the numbers.
- 5 ☐ Non-ASCII This file was not saved in ASCII (DOS) text, as required by the Sequence Rules.
Please ensure your subsequent submission is saved in ASCII text so that it can be processed.
- 6 ☐ Variable Length Sequence(s) ____ contain n's or Xaa's which represented more than one residue.
As per the rules, each n or Xaa can only represent a single residue.
Please present the maximum number of each residue having variable length and indicate in the (ix) feature section that some may be missing.
- 7 ☐ PatentIn ver. 2.0 "bug" A "bug" in PatentIn version 2.0 has caused the <220>-<223> section to be missing from amino acid sequence(s) _____. Normally, PatentIn would automatically generate this section from the previously coded nucleic acid sequence. Please manually copy the relevant <220>-<223> section to the subsequent amino acid sequence. This applies primarily to the mandatory <220>-<223> sections for Artificial or Unknown sequences.
- 8 ☐ Skipped Sequences (OLD RULES) Sequence(s) ____ missing. If intentional, please use the following format for each skipped sequence:
(2) INFORMATION FOR SEQ ID NO:X:
(i) SEQUENCE CHARACTERISTICS:(Do not insert any headings under "SEQUENCE CHARACTERISTICS")
(xi) SEQUENCE DESCRIPTION:SEQ ID NO:X:
This sequence is intentionally skipped

Please also adjust the "(iii) NUMBER OF SEQUENCES:" response to include the skipped sequence(s).
- 9 ☐ Skipped Sequences (NEW RULES) Sequence(s) ____ missing. If intentional, please use the following format for each skipped sequence.
<210> sequence id number
<400> sequence id number
000
- 10 ☐ Use of n's or Xaa's (NEW RULES) Use of n's and/or Xaa's have been detected in the Sequence Listing.
Use of <220> to <223> is MANDATORY if n's or Xaa's are present.
In <220> to <223> section, please explain location of n or Xaa, and which residue n or Xaa represents.
- 11 ☐ Use of "Artificial" (NEW RULES) Use of "Artificial" only as "<213> Organism" response is incomplete, per 1.823(b) of New Sequence Rules.
Valid response is Artificial Sequence.
- 12 ☒ Use of <220>Feature (NEW RULES) Sequence(s) ____ are missing the <220>Feature and associated headings.
Use of <220> to <223> is MANDATORY if <213>ORGANISM is "Artificial Sequence" or "Unknown"
Please explain source of genetic material in <220> to <223> section.
(See "Federal Register," 6/01/98, Vol. 63, No. 104, pp. 29631-32) (Sec. 1.823 of new Rules)
- 13 ☐ PatentIn ver. 2.0 "bug" Please do not use "Copy to Disk" function of PatentIn version 2.0. This causes a corrupted file, resulting in missing mandatory numeric identifiers and responses (as indicated on raw sequence listing).
Instead, please use "File Manager" or any other means to copy file to floppy disk.



OIPE

RAW SEQUENCE LISTING
PATENT APPLICATION: US/09/824,905

DATE: 04/27/2001
TIME: 12:49:26

Input Set : A:\0225-0033.22-SEQLIST.txt
Output Set: N:\CRF3\04272001\I824905.raw

**Does Not Comply
Corrected Diskette Needed**

4 <110> APPLICANT: Singh, Sharat
5 Matray, Tracy
6 Chenna, Ahmed
8 <120> TITLE OF INVENTION: Kits Employing Oligonucleotide-Binding
9 e-tag Probes
11 <130> FILE REFERENCE: 0225-0033.22
C--> 13 <140> CURRENT APPLICATION NUMBER: US/09/824,905
C--> 14 <141> CURRENT FILING DATE: 2001-04-02
16 <150> PRIOR APPLICATION NUMBER: US 09/698,846
17 <151> PRIOR FILING DATE: 2000-10-27
19 <150> PRIOR APPLICATION NUMBER: US 09/684,386
20 <151> PRIOR FILING DATE: 2000-10-04
22 <150> PRIOR APPLICATION NUMEER: US 09/602,536
23 <151> PRIOR FILING DATE: 2000-06-21
25 <150> PRIOR APPLICATION NUMBER: US 09/561,579
26 <151> PRIOR FILING DATE: 2000-04-28
28 <150> PRIOR APPLICATION NUMBER: US 09/303,029
29 <151> PRIOR FILING DATE: 1999-04-30
31 <160> NUMBER OF SEQ ID NOS: 18
33 <170> SOFTWARE: FastSEQ for Windows Version 4.0
35 <210> SEQ ID NO: 1
36 <211> LENGTH: 16
37 <212> TYPE: DNA
38 <213> ORGANISM: Artificial Sequence
40 <220> FEATURE:
41 <223> OTHER INFORMATION: oligonucleotide
43 <400> SEQUENCE: 1
44 tcaccacatc ccagtg
46 <210> SEQ ID NO: 2
47 <211> LENGTH: 16
48 <212> TYPE: DNA
49 <213> ORGANISM: Artificial Sequence
51 <220> FEATURE:
52 <223> OTHER INFORMATION: oligonucleotide
54 <400> SEQUENCE: 2
55 gagggaggtt tggctg
57 <210> SEQ ID NO: 3
58 <211> LENGTH: 22
59 <212> TYPE: DNA
60 <213> ORGANISM: Artificial Sequence
62 <220> FEATURE:
63 <223> OTHER INFORMATION: oligonucleotide
65 <221> NAME/KEY: misc_feature
66 <222> LOCATION: (22)...(22)
67 <223> OTHER INFORMATION: 3' nucleotide linked to tetramethyl rhodamine
69 <400> SEQUENCE: 3
70 ccagcaacca atgatgcccg tt

*More specific response
needed. what is the
source of artificial
sequence.*

*See #12
on the Error
Summary Sheet.*

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RAW SEQUENCE LISTING

DATE: 04/27/2001

PATENT APPLICATION: US/09/824,905

TIME: 12:49:26

Input Set : A:\0225-0033.22-SEQLIST.txt

Output Set: N:\CRF3\04272001\I824905.raw

72 <210> SEQ ID NO: 4
73 <211> LENGTH: 22
74 <212> TYPE: DNA
75 <213> ORGANISM: Artificial Sequence
77 <220> FEATURE:
78 <223> OTHER INFORMATION: oligonucleotide → See p.1
80 <221> NAME/KEY: misc_feature
81 <222> LOCATION: (1)...(1)
82 <223> OTHER INFORMATION: 5' nucleotide linked to fluorescein
84 <221> NAME/KEY: misc_feature
85 <222> LOCATION: (22)...(22)
86 <223> OTHER INFORMATION: 3' nucleotide linked to tetramethyl rhodamine
88 <400> SEQUENCE: 4
89 ccagcaagca ctgatgcctg tt 22
91 <210> SEQ ID NO: 5
92 <211> LENGTH: 4
93 <212> TYPE: PRT
94 <213> ORGANISM: Artificial Sequence
96 <220> FEATURE:
97 <223> OTHER INFORMATION: peptide linker
99 <400> SEQUENCE: 5
100 Lys Lys Ala Ala
101 1
103 <210> SEQ ID NO: 6
104 <211> LENGTH: 4
105 <212> TYPE: PRT
106 <213> ORGANISM: Artificial Sequence
108 <220> FEATURE:
109 <223> OTHER INFORMATION: peptide linker
111 <400> SEQUENCE: 6
112 Lys Lys Lys Ala
113 1
115 <210> SEQ ID NO: 7
116 <211> LENGTH: 4
117 <212> TYPE: PRT
118 <213> ORGANISM: Artificial Sequence
120 <220> FEATURE:
121 <223> OTHER INFORMATION: peptide linker
123 <400> SEQUENCE: 7
124 Lys Lys Lys Lys
125 1
127 <210> SEQ ID NO: 8
128 <211> LENGTH: 25
129 <212> TYPE: DNA
130 <213> ORGANISM: Artificial Sequence
132 <220> FEATURE:
133 <223> OTHER INFORMATION: oligonucleotide → See p.1
135 <400> SEQUENCE: 8
136 gaccaggaaa tagagaggaa atgta 25

RAW SEQUENCE LISTING

PATENT APPLICATION: US/09/824,905

DATE: 04/27/2001

TIME: 12:49:26

Input Set : A:\0225-0033.22-SEQLIST.txt

Output Set: N:\CRF3\04272001\I824905.raw

138 <210> SEQ ID NO: 9
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 140 <212> TYPE: DNA
 141 <213> ORGANISM: Artificial Sequence
 143 <220> FEATURE:
 144 <223> OTHER INFORMATION: oligonucleotide
 146 <400> SEQUENCE: 9
 147 gaaggagaag gaagagttgg tattatc 27
 149 <210> SEQ ID NO: 10
 150 <211> LENGTH: 21
 151 <212> TYPE: DNA
 152 <213> ORGANISM: Artificial Sequence
 154 <220> FEATURE:
 155 <223> OTHER INFORMATION: oligonucleotide
 157 <400> SEQUENCE: 10
 158 ttgggtcag atctgtgata g 21
 160 <210> SEQ ID NO: 11
 161 <211> LENGTH: 27
 162 <212> TYPE: DNA
 163 <213> ORGANISM: Artificial Sequence
 165 <220> FEATURE:
 166 <223> OTHER INFORMATION: oligonucleotide See p. 1
 168 <400> SEQUENCE: 11
 169 catctaggta tccaaaagga gagtcta 27
 171 <210> SEQ ID NO: 12
 172 <211> LENGTH: 27
 173 <212> TYPE: DNA
 174 <213> ORGANISM: Artificial Sequence
 176 <220> FEATURE:
 177 <223> OTHER INFORMATION: oligonucleotide
 179 <400> SEQUENCE: 12
 180 cggtatatag ttcttctctca tgetatt 27
 182 <210> SEQ ID NO: 13
 183 <211> LENGTH: 20
 184 <212> TYPE: DNA
 185 <213> ORGANISM: Artificial Sequence
 187 <220> FEATURE:
 188 <223> OTHER INFORMATION: oligonucleotide
 190 <400> SEQUENCE: 13
 191 gcaagatctt cgccttactg 20
 193 <210> SEQ ID NO: 14
 194 <211> LENGTH: 32
 195 <212> TYPE: DNA
 196 <213> ORGANISM: Artificial Sequence
 198 <220> FEATURE:
 199 <223> OTHER INFORMATION: probe
 201 <221> NAME/KEY: misc_feature
 202 <222> LOCATION: (1)...(1)
 203 <223> OTHER INFORMATION: e-tag10s modification to the 5' nucleotide

RAW SEQUENCE LISTING

DATE: 04/27/2001

PATENT APPLICATION: US/09/824,905

TIME: 12:49:26

Input Set : A:\0225-0033.22-SEQLIST.txt

Output Set: N:\CRF3\04272001\I824905.raw

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205 <400> SEQUENCE: 14
206 ttccatttttc ttttttagagc agtatacaaa ga 32
208 <210> SEQ ID NO: 15
209 <211> LENGTH: 32
210 <212> TYPE: DNA
211 <213> ORGANISM: Artificial Sequence
213 <220> FEATURE:
214 <223> OTHER INFORMATION: probe
216 <221> NAME/KEY: misc_feature
217 <222> LOCATION: (1)...(1)
218 <223> OTHER INFORMATION: e-tag10as modification to the 5' nucleotide
220 <400> SEQUENCE: 15
221 tctttgtata ctgctctaaa aagaaaatgg aa 32
223 <210> SEQ ID NO: 16
224 <211> LENGTH: 23
225 <212> TYPE: DNA
226 <213> ORGANISM: Artificial Sequence
228 <220> FEATURE:
229 <223> OTHER INFORMATION: probe
231 <221> NAME/KEY: misc_feature
232 <222> LOCATION: (1)...(1)
233 <223> OTHER INFORMATION: e-tag11s modification to the 5' nucleotide
235 <400> SEQUENCE: 16
236 aaactccagc atagatgtgg atagcttg 28
238 <210> SEQ ID NO: 17
239 <211> LENGTH: 28
240 <212> TYPE: DNA
241 <213> ORGANISM: Artificial Sequence
243 <220> FEATURE:
244 <223> OTHER INFORMATION: probe
246 <221> NAME/KEY: misc_feature
247 <222> LOCATION: (1)...(1)
248 <223> OTHER INFORMATION: e-tag11as modification to the 5' nucleotide
250 <400> SEQUENCE: 17
251 caagctatcc acatctatgc tggagttt 28
253 <210> SEQ ID NO: 18
254 <211> LENGTH: 23
255 <212> TYPE: DNA
256 <213> ORGANISM: Artificial Sequence
258 <220> FEATURE:
259 <223> OTHER INFORMATION: probe
261 <221> NAME/KEY: misc_feature
262 <222> LOCATION: (1)...(1)
263 <223> OTHER INFORMATION: e-tag13as modification to the 5' nucleotide
265 <400> SEQUENCE: 18
266 aactgcttgt ggccatggct tag 23

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VERIFICATION SUMMARY

DATE: 04/27/2001

PATENT APPLICATION: US/09/824,905

TIME: 12:49:27

Input Set : A:\0225-0033.22-SEQLIST.txt

Output Set: N:\CRF3\04272001\I824905.raw

13 M:270 C: Current Application Number differs, Replaced Current Application Number

14 M:271 C: Current Filing Date differs, Replaced Current Filing Date